

Forcibly enabling copy protection in digital television broadcasts may paradoxically retard the growth of the digital broadcast market.

Once consumers learn they will no longer enjoy fair use of digital broadcasts, as opposed to their current ability to time shift analog broadcasts, they will have less incentive to view digital broadcasts.

With reduced demand for digital broadcasts, manufacturers and broadcasters have less incentive to innovate with digital receivers and digital programming.

Since the FCC has the responsibility of promoting the market in digital programming, I urge them to advocate the broadcast companies adopt the same market compromise software OEMs did vis-a-vis the software piracy problem: discard copy protection (because it is ineffective, and disenfranchises legitimate users' fair use) and use strict legal enforcement actions instead.